REMARKS

Claims 1-22 are all the claims pending in the application. By this Amendment, Applicant amends 1, 9, and 17 to further clarify the invention. In addition, Applicant adds claim 23, which is clearly supported throughout the specification.

I. Preliminary Matters

As preliminary matters, Applicant thanks the Examiner for acknowledging Applicant's claim to foreign priority and for indicating receipt of the certified copy of the priority documents. Applicant also thanks the Examiner for returning the initialed forms PTO/SB/08 submitted with the Information Disclosure Statements filed on April 16, 2004 and November 14, 2006. Applicant further thanks the Examiner for indicating acceptance of the drawing figures filed on April 16, 2004.

II. Summary of the Office Action

Claims 1, 2, 4, 5, 8-10, 12, 13, 16, 17, 19, 20, and 22 are rejected under 35 U.S.C. § 102(e) and claims 3, 6, 7, 11, 14, 15, 18, and 21 are rejected under 35 U.S.C. § 103(a).

III. Prior Art Rejections

Claims 1, 2, 4, 5, 8-10, 12, 13, 16, 17, 19, 20, and 22 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,850,513 to Pelissier (hereinafter "Pelissier"). Applicant respectfully traverses these grounds of rejection at least in view of the following comments.

Of these rejected claims, only claims 1, 9, and 17 are independent. These independent claims *inter alia* and in some variation recite: data telegrams, each of which has reference data

and an identifier and a transmission list, which includes a first number of the check data records, where each of the check data records has an address for the reference data and the identifier which uniquely identifies a respective one of the data telegrams that is assigned to the respective one of the check data records.

That is, in an exemplary, non-limiting embodiment, check data records are disclosed that facilitate transmission and reception of data telegrams. Specifically, each data telegram includes reference data or user data and is assigned to a respective data record. Each data record uniquely identifies one data telegram and has a reference to a memory location where the data of the telegram is stored. In other words, each check data record corresponds to one telegram using a unique, global identifier. These check data records control the reception and transmission of the data telegrams.

It will be appreciated that the foregoing remarks relate to the invention in a general sense, the remarks are not necessarily limitative of any claims and are intended only to help the Examiner better understand the distinguishing aspects of the claims mentioned above.

The Examiner contends that Pelissier discloses each and every unique feature of the independent claims 1, 9, and 17. Specifically, the Examiner contents that the classification table 210 of Pelissier discloses the transmission list as set forth in claim 1 and that the links 112 and 113 somehow disclose the second number of the check data records used in the reception (*see* pages 2 and 3 of the Office Action). Applicant respectfully disagrees. Applicant has carefully studied Pelissier's discussion of the classification table which is not check data records that uniquely correspond to respective telegrams and are used to control the transmission and reception of telegrams.

Pelissier discloses a packet classification system that uses a minimum of additional system hardware. Pelissier notes that in order to forward various types of data (*e.g.*, real time vs. non critical data) in a time efficient manner, it is important to differentiate between various data and place data on various transmission links based on the type of data. In Pelissier, real time data is placed on a high-bandwidth link (6 Mbps), whereas non critical data is placed on a low-bandwidth link (64 Kbps). To quickly determine the type of data, Pelissier discloses having classification data in the header of each packet. For example, a different number may be assigned to different types of data *e.g.*, .mpeg data = 001; .jpg = 010; .pdf = 011, etc. (Figs. 3, 4, and 7; col. 1, line 46 to col. 2, line 9 and col. 3, line 33 to col. 4, line 58).

In Pelissier, when the packet is received, the destination address is extracted and the next link is determined based on the destination address using a routing table. Next, the classification record is retrieved from the header of the received packet. The retried classification record is compared with classification data in one or more classification tables. That is, in Pelissier, there may be several levels of classification tables such that the classification record is first compared with the root classification table to determine the general type of data *e.g.*, received data is a text document. Next, in Pelissier, based on the determination at the root level, a first level classification table is selected *e.g.*, the classification table for text documents and the classification record is compared with the data in this first level classification table *e.g.*, .txt document, .doc document, .html document, .pdf document, etc. Accordingly, in Pelissier, the type of data present in the received packet is quickly determined without accessing the actual contents of the packet. Based on the determined data type, an appropriate transmission link and a corresponding port are determined (Figs. 3, 4, and 7; col. 4, lines 28 to 46 and col. 6, line 20 to col. 7, line 30).

Pelissier, however, clearly does not disclose or even remotely suggest having separate tables for transmission and reception. Applicant respectfully notes that transmission links 112 and 113 (alleged second number of check data records) are not records such as classification table records. In other words, Applicant respectfully submits that in Pelissier, there is only <u>one classification table having various levels</u>. That is, Pelissier does not disclose or even remotely suggest having <u>different records/tables for transmission and reception</u>.

In addition, Pelissier's classification tables (alleged transmission list) store <u>types of data</u> and <u>do not unique identify a corresponding data packet</u>. In other words, in Pelissier, one record (*e.g.*, data type .html) may identify a number of data packets *e.g.*, all packets of .pdf type. That is, Pelissier does not disclose or even remotely suggest a record that <u>uniquely identifies one corresponding packet</u>. Furthermore, Pelissier does not disclose or even remotely suggest the record including a <u>unique</u> identifier of the packet and <u>an address for a memory location where the data of the packet is stored</u>.

Therefore, the data telegrams have reference data and an identifier and a transmission list, which includes a first number of check data records, where each of the check data records has <u>an address for the reference data</u> and the identifier which <u>uniquely identifies a respective one of the data telegrams</u> that is assigned to the respective one of the check data records, as set forth in some variation in independent claims 1, 9, and 17, are not disclosed by Pelissier. Pelissier lacks having a classification list where each entry will uniquely identify one corresponding packet. Pelissier also lacks having an entry in the classification list include an address to the memory location where the data of the packet is stored. For at least these exemplary reasons, claims 1, 9, and 17 patentably distinguish from Pelissier. Accordingly, Applicant respectfully requests the

Examiner to withdraw this rejection of claims 1, 9, and 17. Claims 2, 4, 5, 8-10, 12, 13, 16, 17, 19, 20, and 22 are patentable at least by virtue of their dependency.

In addition, dependent claim 4 recites: "wherein the transmission list has at least one control data record, which determines the order of processing the first number of the check data records" and dependent claim 5 further recites: "wherein the control data record includes a conditional jump address to a check data record of the first number of the check data records." The Examiner alleges that to transmit real-time data, the information should be transmitted in proper sequence (*see* pages 3-4 of the Office Action). The Examiner's position is not understood.

Pelissier does not disclose or even remotely suggest the classification table (alleged transmission list) including any information relating to the sequence of transmission. Furthermore, col. 6, lines 51 to 58 of Pelissier describe a "Classification Valid" field which indicates whether there are further levels of the classification tables *i.e.*, an additional level of the classification is present when it is set to false and no additional levels of the classification are available when it is set to true. However, this field is unrelated to determining the order of processing of the records and also does not disclose or suggest skipping records in the same classification table.

For at least these additional exemplary reasons, claims 4 and 5 are patentably distinguishable from Pelissier.

Claims 3, 6, 7, 11, 14, 15, 18, and 21 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Pelissier in view of U.S. Patent No. 4,326,247 to Chamberlin (hereinafter "Chamberlin"). Applicant respectfully traverses these grounds of rejection at least in view of the following exemplary comments.

Claims 3, 6, and 7 depend on claim 1, claims 11, 14, and 15 depend on claim 9, and

claims 18 and 21 depend on claim 17. Applicant has already demonstrated that the disclosure of

Pelissier does not meet all the requirements of independent claims 1, 9, and 17. Chamberlin is

relied upon only for its teaching of a cycle number (*see* pages 9-11 of the Office Action) and as

such fails to cure the deficient disclosure of Pelissier. Together, the combined teachings of these

references would not have (and could not have) led the artisan of ordinary skill to have achieved

the subject matter of claims 1, 9, and 17. Since claims 3, 6, and 7 depend on claim 1, claims 11,

14, and 15 depend on claim 9, and claims 18 and 21 depend on claim 17, they are patentable at

least by virtue of their dependency.

IV.   New Claim

In order to provide more varied protection, Applicant adds claim 23, which is patentable

by virtue of its dependency and for additional features set forth therein.

V.   Conclusion

In view of the above, reconsideration and allowance of this application are now believed

to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is

kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

                                        Respectfully submitted,

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